

LPP MORTGAGE LTD., f/k/a LOAN  
PARTICIPANT PARTNERS, LTD.  
  
Plaintiff,  
  
v.  
  
PIT STOP CORPORATION, et al.,  
  
Defendants.

PIT STOP CORPORATION, et al., )  
 )  
 )  
 Defendants. )

This matter comes before me on a Motion for Default Judgment [#12]. Defendants Pit Stop Corporation and Dolores Hauck did not respond within 20 days to the summons and complaint served on them. Because these Defendants have failed to defend the Complaint, Plaintiff is entitled to a default judgment under Rule 55 of the Federal Rules of Civil Procedure. For the following reasons, Plaintiff is entitled to judgment in the sum of \$331,942.30.

LPP filed this lawsuit on August 24, 2007. Pit Stop Corporation and Delores Hauck were served with a summons and complaint on August 30, 2007. Neither Pit Stop nor Ms. Hauck has filed an answer or responsive pleading. The Clerk of Court filed an Entry of Default against Pit Stop Corporation and Delores Hauck on November 6, 2007.

LPP Mortgage, Inc. is the present owner and holder of a Note and Modification of Promissory Note made by Pit Stop Corporation and Delores Hauck. Pit Stop Corporation and Ms. Hauck have not made a loan payment since June 6, 2007, which payment was due on January 26, 2007. They have also failed to make any further payments on the loan.

A default occurred under the Promissory Note as amended and modified. On or about May 31, 2007, LPP declared the Note in default and the balance immediately due and payable. The indebtedness represented by the Note is presently due and payable and the Makers are obligated to pay the full indebtedness evidenced by the Note.

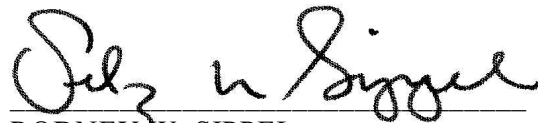
There is presently due and owing to LPP on the Promissory note, as amended and modified, the principal sum of \$316,002.17, as well as accrued interest and NSF charges through November 1, 2007 in the amount of \$5,215.29. Interest continues to accrue on the Promissory Note at the rate of \$34.63 per day. Also, as of November 1, 2007, LPP has incurred costs and attorneys' fees in the amount of \$10,724.84 in pursuing the recovery of this action.

As a result, LPP is entitled to entry of a default judgment in the total amount of \$331,942.30.

Accordingly,

**IT IS HEREBY ORDERED that** Plaintiffs' Motion for Default Judgment [#12] is **GRANTED.**

A separate judgment will be entered in this matter.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 14th day of November, 2007.